

band users at the end of the process there is a very high probability that money available for relocation will be exhausted before these band users are able to move. This places MPSCS in a situation where MPSCS either suffers continually increasing interference, or is forced to invest additional tens of millions of dollars to finance the relocation if FCC funds are depleted. MSP and all other similarly situated NPSPAC band users should be given first, not last priority and assured a source of guaranteed frequency relocation funding.

MSP's final concern deals with the international border it shares with Canada. Unlike other public safety agencies in the country, Michigan shares an expansive international border with Canada, including several major metropolitan areas. These border areas are constrained by international agreements that are negotiated by the Federal Communications Commission. Unfortunately the Consensus Plan does not provide a complete band plan for re-aligning these border regions. The Consensus Plan states only that "the Joint Commentators will provide the Commission with this information in a subsequent filing." The history of international negotiation in this area indicates that years may pass before agreement is reached. Consequently, MSP believes this issue needs to be addressed on an immediate basis.

Thus, while MSP heartily applauds and supports the efforts of the parties involved in creating the Consensus Plan, MSP feels that there are a number of unresolved issues that could forestall the effective implementation of the Consensus Plan and cause protracted regulatory delay.

Timely decisive action is needed by the FCC to protect public safety agencies, the citizens they serve and ensure homeland security within every state's borders. MSP suggest the FCC consider some immediate enforcement possibilities such as placing restrictions on cellular systems base transmit power levels, restrictions on utilization of frequencies adjacent to public safety bands in metropolitan areas, and effective enforcement of long standing interference policies. Once these measures are in place and public safety communications are restored to an acceptable level, a comprehensive plan for ultimately resolving the interference issues and restoring full capacity to the carriers can move forward.

The carriers may argue that the cost of such regulations would be exorbitant. We argue that that officer safety, public safety, and homeland security are priceless.

Respectfully submitted,

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